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INTERNATIONAL COOPERATION IN THE PEACEFUL USES OF OUTER SPACE

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Ms. Riitta RESCH (Finland)

I. INTRODUCTION

1. At its 4th plenary meeting, on 19 September 1997, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-second session the item entitled "International cooperation in the peaceful uses of outer space" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 2nd and 10th to 13th meetings, on 30 September and from 3 to 6 November 1997, and held a general debate on the item at the 10th to 13th meetings (see A/C.4/52/SR.2 and 10-13).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Committee on the Peaceful Uses of Outer Space;[1]

(b) Report of the Secretary-General on the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space (A/52/307);

(c) Letter dated 6 November 1997 from the Permanent Representative of Uruguay to the United Nations addressed to the Secretary-General, transmitting

[1] Official Records of the General Assembly, Fifty-second Session, Supplement No. 20 (A/52/20).

the report of the pro tempore secretariat of the Third Space Conference of the Americas on its activities during 1997 (A/52/655).

4. At its 2nd meeting, on 30 September, the Committee decided to establish an open-ended Working Group on International Cooperation in the Peaceful Uses of Outer Space of the Special Political and Decolonization Committee (Fourth Committee), to be chaired by the delegation of India, to prepare the draft resolution on the item.

5. At the 10th meeting, on 3 November, the Chairman of the Fourth Committee made an introductory statement (see A/C.4/52/SR.10).

6. At the same meeting, the Chairman of the Committee on the Peaceful Uses of Outer Space introduced the report of that Committee.[1]

II. CONSIDERATION OF DRAFT RESOLUTION A/C.4/52/L.8

7. At the 13th meeting, on 6 November, the representative of India, on behalf of the Working Group and Austria, introduced a draft resolution entitled "International cooperation in the peaceful uses of outer space" (A/C.4/52/L.8).

8. At the same meeting, the representative of China proposed an amendment to operative paragraph 25 of the draft resolution, by which the words "for Latin America and the Caribbean and for Asia and the Pacific, respectively" would be inserted after the word "development".

9. Also at the same meeting, the Committee adopted the amendment proposed orally by China without a vote.

10. Also at its 13th meeting, the Committee adopted draft resolution A/C.4/52/L.8, as orally amended, without a vote (see para. 11).

III. RECOMMENDATION OF THE SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)

11. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolution:

International cooperation in the peaceful uses of outer space

The General Assembly,

Recalling its resolution 51/123 of 13 December 1996,

Deeply convinced of the common interest of mankind in promoting the exploration and use of outer space for peaceful purposes and in continuing efforts to extend to all States the benefits derived therefrom, and also of the

importance of international cooperation in this field, for which the United Nations should continue to provide a focal point,

Reaffirming the importance of international cooperation in developing the rule of law, including the relevant norms of space law and their important role in international cooperation for the exploration and use of outer space for peaceful purposes, and of the widest possible adherence to international treaties that promote the peaceful uses of outer space,

Concerned about the possibility of an arms race in outer space,

Recognizing that all States, in particular those with major space capabilities, should contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international cooperation in the exploration and use of outer space for peaceful purposes,

Considering that space debris is an issue of concern to all nations,

Noting the progress achieved in the further development of peaceful space exploration and applications as well as in various national and cooperative space projects, which contribute to international cooperation, and the importance of further international cooperation in this field,

Taking note of the report of the Secretary-General[2] on the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space,[3]

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its fortieth session,[4]

1. Endorses the report of the Committee on the Peaceful Uses of Outer Space on the work of its fortieth session;

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[2] A/52/307.

[3] See Report of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 9-21 August 1982 and corrigenda (A/CONF.101/10 and Corr.1 and 2).

[4] Official Records of the General Assembly, Fifty-second Session, Supplement No. 20 (A/52/20).

2. Invites States that have not yet become parties to the international treaties governing the uses of outer space[5] to give consideration to ratifying or acceding to those treaties;

3. Notes that, at its thirty-sixth session, the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space, in its working group, continued its work as mandated by the General Assembly in its resolution 51/123;[6]

4. Endorses the recommendations of the Committee that the Legal Subcommittee, at its thirty-seventh session, taking into account the concerns of all countries, particularly those of developing countries, should:

(a) Continue its consideration of review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space;[7]

(b) Continue, through its working group, its consideration of matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union;

(c) Begin its review of the status of the five international legal instruments governing outer space;

(d) Continue its consideration of other matters, including informal consultations on specific proposals already made concerning possible new agenda items for the Legal Subcommittee;

5. Also endorses the recommendation of the Committee that the Legal Subcommittee, at its thirty-seventh session, should suspend consideration in its working group of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space pending the results of the work in the Scientific and Technical Subcommittee, without prejudice to the possibility of reconvening its working group on that item if, in the opinion of the Legal Subcommittee, sufficient progress was made in the Scientific and Technical Subcommittee at its session in 1998 to warrant the reconvening of the working group;

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[5] Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (resolution 2222 (XXI), annex); Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (resolution 2345 (XXII), annex); Convention on International Liability for Damage Caused by Space Objects (resolution 2777 (XXVI), annex); Convention on Registration of Objects Launched into Outer Space (resolution 3235 (XXIX), annex); Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (resolution 34/68, annex).

[6] See Official Records of the General Assembly, Fifty-second Session, Supplement No. 20 (A/52/20), sect. II.C.

[7] See resolution 47/68.

6. Notes that, in the context of paragraph 4 (c) above, the Legal Subcommittee would implement the work plan that it adopted at its thirty-sixth session;[8]

7. Also notes that deliberations on the question of the geostationary orbit were undertaken by the Legal Subcommittee, as reflected in its report,[6] on the basis of recent proposals which might provide a new and enhanced basis for future work;

8. Endorses the recommendations and agreements concerning the organization of work in the Legal Subcommittee;

9. Notes with satisfaction that, in accordance with paragraph 9 of General Assembly resolution 51/123, the Legal Subcommittee was provided, at its thirty-sixth session, with unedited verbatim transcripts of the proceedings in lieu of summary records, and notes that, in accordance with paragraph 10 of that resolution, the Committee evaluated the use of unedited verbatim transcripts at its fortieth session and agreed to continue the use of those transcripts in lieu of verbatim records and to further review its requirements for those transcripts at its forty-first session;

10. Also notes with satisfaction that, in accordance with paragraph 13 of General Assembly resolution 51/123, the Chairman of the Committee continued to hold inter-sessional informal consultations among the members of the Committee concerning the working methods of the Committee and its subsidiary bodies and that consensus decisions were reached, before the fortieth session of the Committee, on measures relating to the composition and election of the bureaux of the Committee and its subsidiary bodies, agenda structures and the duration of the sessions of those bodies;

11. Endorses the new measures relating to the working methods of the Committee and its subsidiary bodies adopted by the Committee at its fortieth session in respect of the three elements set out in paragraph 10 above,[9] and notes that, in accordance with paragraph 14 of General Assembly resolution 51/123, the Committee has begun the implementation of those measures;

12. Notes that the Scientific and Technical Subcommittee of the Committee on the Peaceful Uses of Outer Space, at its thirty-fourth session, continued its work as mandated by the General Assembly in its resolution 51/123;[10]

13. Notes with satisfaction that the Scientific and Technical Subcommittee continued to consider on a priority basis the agenda item on space debris and that the work of the Subcommittee at its thirty-fourth session concentrated on the topics of modelling of the space debris environment and risk assessment, on

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[8] See A/AC.105/674, annex II.B.

[9] See Official Records of the General Assembly, Fifty-second Session, Supplement No. 20 (A/52/20), annex I.

[10] Ibid., sect. II.B.

the basis of the multi-year work plan adopted by the Subcommittee at its thirty-second session;[11]

14. Agrees that the multi-year work plan for the consideration of the item on space debris should continue to be implemented with flexibility;

15. Endorses the recommendations of the Committee that the Scientific and Technical Subcommittee, at its thirty-fifth session, taking into account the concerns of all countries, particularly those of developing countries, should:

(a) Consider the following items on a priority basis:

(i) United Nations Programme on Space Applications and the coordination of space activities within the United Nations system;

(ii) Preparations for the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III) as the Advisory Committee for UNISPACE III;

(iii) Matters relating to remote sensing of the Earth by satellites, including, inter alia, applications for developing countries;

(iv) Use of nuclear power sources in outer space;

(v) Space debris;

(b) Consider the following items:

(i) Questions relating to space transportation systems and their implications for future activities in space;

(ii) Examination of the physical nature and technical attributes of the geostationary orbit and of its utilization and applications, including, inter alia, in the field of space communications, as well as other questions relating to space communications developments, taking particular account of the needs and interests of developing countries;

(iii) Matters relating to life sciences, including space medicine;

(iv) Progress in national and international space activities related to the Earth's environment, in particular progress in the international geosphere-biosphere (global change) programme;

(v) Matters relating to planetary exploration;

(vi) Matters relating to astronomy;

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[11] A/AC.105/605, para. 83.

(vii) The theme fixed for special attention at the thirty-fifth session of the Scientific and Technical Subcommittee: "Scientific and technical aspects and applications of space-based meteorology"; the Committee on Space Research and the International Astronautical Federation, in liaison with Member States, should be invited to arrange a symposium, with as wide a participation as possible, to be held during the first week of the Subcommittee's session, to complement discussions within the Subcommittee on the special theme;

16. Endorses the recommendations of the Working Group of the Whole to Evaluate the Implementation of the Recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, of the Scientific and Technical Subcommittee, as endorsed by the Committee and as contained in the report of the Working Group of the Whole;[12]

17. Agrees that the Scientific and Technical Subcommittee should reconvene, at its thirty-fifth session, the Working Group of the Whole to conclude its evaluation of the implementation of the recommendations of the Second Conference and to assist the Advisory Committee for the Third Conference in its preparatory work for that Conference;

18. Invites Member States to report to the Secretary-General on a regular basis with regard to national and international research concerning the safety of space objects with nuclear power sources on board;

19. Endorses the United Nations Programme on Space Applications for 1998, as proposed to the Committee by the Expert on Space Applications;[13]

20. Invites all Governments within the organizations of the United Nations system and other intergovernmental organizations working in the field of outer space or on space-related matters to take effective action for the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, and also invites the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the recommendations of the Conference;

21. Notes with satisfaction that, in accordance with paragraph 30 of General Assembly resolution 50/27 of 6 December 1995, the Centre for Space Science and Technology Education in Asia and the Pacific continued its education programme in 1997 and that significant progress has been achieved in establishing regional centres for space science and technology education in the other regions;

22. Notes that, pursuant to the request in paragraph 29 of General Assembly resolution 51/123, the Committee and its Scientific and Technical Subcommittee, at their 1997 sessions, carried out the tasks entrusted to them in their roles as the Preparatory Committee and the Advisory Committee,

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[12] A/AC.105/672, annex II.

[13] See A/AC.105/660, sect. I.

respectively, for a special session of the Committee, open to all States Members of the United Nations;

23. Agrees that the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III) shall be convened at the United Nations Office at Vienna from 19 to 30 July 1999 as a special session of the Committee on the Peaceful Uses of Outer Space, open to all States Members of the United Nations;

24. Endorses the recommendations of the Preparatory Committee at its 1997 session, as contained in its report,[14] and requests the Preparatory and Advisory Committees and the executive secretariat to carry out their tasks in accordance with those recommendations and to report to the General Assembly at its fifty-third session;

25. Notes with satisfaction that, in preparation for UNISPACE III, Chile and Malaysia offered to host United Nations regional meetings on space technology and applications for development for Latin America and the Caribbean and for Asia and the Pacific, respectively, and Tunisia has indicated its willingness, in principle, to host a similar regional meeting in Africa in 1998;

26. Encourages all Member States, organizations within the United Nations system and other intergovernmental and non-governmental organizations with space activities, as well as space-related industries, to contribute actively to achieving the objectives of UNISPACE III and invites Member States to submit their national papers for UNISPACE III;

27. Agrees that in order to service UNISPACE III, to the extent feasible, within existing resources, the level of conference-servicing resources available to the Committee and its subsidiary bodies for the biennium 1998-1999 should remain at the same level as for the biennium 1996-1997;

28. Recommends that more attention be paid to all aspects related to the protection and the preservation of the outer space environment, especially those potentially affecting the Earth's environment;

29. Considers that it is essential that Member States pay more attention to the problem of collisions of space objects, including those with nuclear power sources, with space debris, and other aspects of space debris, calls for the continuation of national research on this question, for the development of improved technology for the monitoring of space debris and for the compilation and dissemination of data on space debris, considers that, to the extent possible, information thereon should be provided to the Scientific and Technical Subcommittee, and agrees that international cooperation is needed to expand appropriate and affordable strategies to minimize the impact of space debris on future space missions;

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[14] See Official Records of the General Assembly, Fifty-second Session, Supplement No. 20 (A/52/20), sect. II.E.

30. Urges all States, in particular those with major space capabilities, to contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international cooperation in the exploration and use of outer space for peaceful purposes;

31. Emphasizes the need to increase the benefits of space technology and its applications and to contribute to an orderly growth of space activities favourable to sustained economic growth and sustainable development in all countries, particularly in the developing countries;

32. Requests the Committee to continue to consider, as a matter of priority, ways and means of maintaining outer space for peaceful purposes, taking into account the views expressed at its fortieth session and at the fifty-second session of the General Assembly, and to report thereon to the Assembly at its fifty-third session;

33. Also requests the Committee to continue to consider at its forty-first session its agenda item entitled "Spin-off benefits of space technology: review of current status";

34. Endorses the decision of the Committee to grant permanent observer status to the International Space University;

35. Requests the specialized agencies and other international organizations to continue and, where appropriate, enhance their cooperation with the Committee and to provide it with progress reports on their work relating to the peaceful uses of outer space;

36. Requests the Committee to continue its work, in accordance with the present resolution, to consider, as appropriate, new projects in outer space activities, and to submit a report to the General Assembly at its fifty-third session, including its views on which subjects should be studied in the future.

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UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Ms. Riitta RESCH (Finland)

I. INTRODUCTION

1. At its 4th plenary meeting, on 19 September 1997, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-second session the item entitled "United Nations Relief and Works Agency for Palestine Refugees in the Near East" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 21st, 22nd and 25th meetings, on 24 and 26 November 1997 (see A/C.4/52/SR.21, 22 and 25). The general debate on the item was held at the 21st and 22nd meetings, on 24 November (see A/C.4/52/SR.21 and 22).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1996 to 30 June 1997;[1]

(b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/52/578);

[1] Official Records of the General Assembly, Fifty-second Session, Supplement No. 13 and addendum (A/52/13 and Add.1).

(c) Report of the Secretary-General submitted in pursuance of General Assembly resolution 51/126 (A/52/423);

(d) Report of the Secretary-General submitted in pursuance of General Assembly resolution 51/127 (A/52/415);

(e) Report of the Secretary-General submitted in pursuance of General Assembly resolution 51/129 (A/52/372);

(f) Report of the Secretary-General submitted in pursuance of General Assembly resolution 51/130 (A/52/503);

(g) Note by the Secretary-General transmitting the report of the United Nations Conciliation Commission for Palestine, in accordance with paragraph 6 of General Assembly resolution 512 (VI) and paragraph 3 of Assembly resolution 51/124 (A/52/311);

(h) Letter dated 25 April 1997 from the Permanent Representative of India to the United Nations addressed to the Secretary-General, transmitting the final document of the Twelfth Ministerial Conference of the Movement of Non-Aligned Countries, held at New Delhi on 7 and 8 April 1997, and addendum containing a note verbale dated 28 August 1997 (A/51/912-S/1997/406 and Add.1);

(i) Letter dated 7 May 1997 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General, transmitting the final declarations adopted by the Heads of State and Government of the Organization of the Islamic Conference at the extraordinary session held at Islamabad on 23 March 1997 (A/51/915-S/1997/433).

4. At its 21st meeting, on 24 November, the Committee heard a statement by the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), who introduced his report (see A/C.4/52/SR.21).

5. At the same meeting, the representative of Norway, in his capacity as Rapporteur of the Working Group on the Financing of UNRWA, introduced the report of the Working Group (see A/C.4/52/SR.21).

6. Also at the same meeting, the Permanent Observer of Palestine made a statement (see A/C.4/52/SR.21).

7. At the 22nd meeting, on 24 November, the Commissioner-General of UNRWA made a concluding statement (see A/C.4/52/SR.22).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.4/52/L.10

8. At the 25th meeting, on 26 November, the representative of Luxembourg, on behalf of the States Members of the United Nations that are members of the European Union, introduced a draft resolution entitled "Assistance to Palestine

refugees' (A/C.4/52/L.10). At the same meeting, Senegal joined in sponsoring the draft resolution.

9. At the same meeting, the representatives of the Libyan Arab Jamahiriya and Swaziland made statements (see A/C.4/52/SR.25).

10. Also at the same meeting, the Committee adopted draft resolution A/C.4/52/L.10 by a recorded vote of 126 to 1, with 2 abstentions (see para. 29, draft resolution I).[2] The voting was as follows:[3]

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Cameroon, United States of America.

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[2] Statements in explanation of vote were made by the representatives of the Islamic Republic of Iran and Japan.

[3] Subsequently, the delegation of Bangladesh indicated that, had it been present during the voting, it would have voted in favour.

B. Draft resolution A/C.4/52/L.11

11. At the 25th meeting, on 26 November, the representative of the Netherlands, on behalf of Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Norway, Portugal, Spain, Turkey and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East" (A/C.4/52/L.11). At the same meeting, Australia, Romania and Sweden joined in sponsoring the draft resolution.

12. At the same meeting, the representatives of the Libyan Arab Jamahiriya and Swaziland made statements (see A/C.4/52/SR.25).

13. Also at the same meeting, the Committee adopted draft resolution A/C.4/52/L.11 without a vote (see para. 29, draft resolution II).[2]

C. Draft resolution A/C.4/52/L.12

14. At the 25th meeting, on 26 November, the representative of Indonesia, on behalf of Bangladesh, Brunei Darussalam, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates and Yemen, introduced a draft resolution entitled "Persons displaced as a result of the June 1967 and subsequent hostilities" (A/C.4/52/L.12). At the same meeting, Senegal joined in sponsoring the draft resolution.

15. At the same meeting, the representatives of the Libyan Arab Jamahiriya and Swaziland made statements (see A/C.4/52/SR.25).

16. Also at the same meeting, the Committee adopted draft resolution A/C.4/52/L.12 by a recorded vote of 126 to 2 (see para. 29, draft resolution III).[2] The voting was as follows:[3]

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian

Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: Israel, United States of America.

Abstaining: None.

D. Draft resolution A/C.4/52/L.13

17. At the 25th meeting, on 26 November, the representative of Indonesia, on behalf of Bangladesh, Brunei Darussalam, Djibouti, Egypt, India, Indonesia, Jordan, Malaysia, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates and Yemen, introduced a draft resolution entitled "Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees" (A/C.4/52/L.13). At the same meeting, Senegal joined in sponsoring the draft resolution.

18. At the same meeting, the representatives of the Libyan Arab Jamahiriya and Swaziland made statements (see A/C.4/52/SR.25).

19. Also at the same meeting, the Committee adopted draft resolution A/C.4/52/L.13 by a recorded vote of 129 to none, with 1 abstention (see para. 29, draft resolution IV).[2] The voting was as follows:[3]

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago,

Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: None.

Abstaining: Israel.

E. Draft resolution A/C.4/52/L.14

20. At the 25th meeting, on 26 November, the representative of Indonesia, on behalf of Bangladesh, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates and Yemen, introduced a draft resolution entitled "Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East" (A/C.4/52/L.14). At the same meeting, Senegal joined in sponsoring the draft resolution.

21. At the same meeting, the representatives of the Libyan Arab Jamahiriya and Swaziland made statements (see A/C.4/52/SR.25).

22. Also at the same meeting, the Committee adopted draft resolution A/C.4/52/L.14 by a recorded vote of 125 to 2, with 2 abstentions (see para. 29, draft resolution V).[2] The voting was as follows:[3]

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Marshall Islands, Zambia.

F. Draft resolution A/C.4/52/L.15

23. At the 25th meeting, on 26 November, the representative of Indonesia, on behalf of Bangladesh, Brunei Darussalam, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates and Yemen, introduced a draft resolution entitled "Palestine refugees' properties and their revenues" (A/C.4/52/L.15). At the same meeting, Senegal joined in sponsoring the draft resolution.

24. At the same meeting, the representatives of the Libyan Arab Jamahiriya and Swaziland made statements (see A/C.4/52/SR.25).

25. Also at the same meeting, the Committee adopted draft resolution A/C.4/52/L.15 by a recorded vote of 127 to 2, with 3 abstentions (see para. 29, draft resolution VI).[2] The voting was as follows:

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Guatemala, Liberia, Marshall Islands.

G. Draft resolution A/C.4/52/L.16

26. At the 25th meeting, on 26 November, the representative of Indonesia, on behalf of Bangladesh, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates and Yemen, introduced a draft resolution entitled "University of Jerusalem 'Al-Quds' for Palestine refugees" (A/C.4/52/L.16). At the same meeting, Senegal joined in sponsoring the draft resolution.

27. At the same meeting, the representatives of the Libyan Arab Jamahiriya and Swaziland made statements (see A/C.4/52/SR.25).

28. Also at the same meeting, the Committee adopted draft resolution A/C.4/52/L.16 by a recorded vote of 126 to 2, with 2 abstentions (see para. 29, draft resolution VII).[2] The voting was as follows:

In favour: Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Liberia, Zambia.

III. RECOMMENDATIONS OF THE SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)

29. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 51/124 of 13 December 1996 and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 1996 to 30 June 1997,[4]

Welcoming the signature in Washington, D.C., on 13 September 1993 by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the people of Palestine, of the Declaration of Principles on Interim Self-Government Arrangements[5] and the subsequent implementation agreements, and also the signature of the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip in Washington, D.C., on 28 September 1995,[6]

Encouraging the Multilateral Working Group on Refugees of the Middle East peace process to continue its important work,

Welcoming also the completion of the transfer of the headquarters of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to Gaza, to its area of operations,

1. Notes with regret that repatriation or compensation of the refugees, as provided for in paragraph 11 of its resolution 194 (III), has not yet been effected and that, therefore, the situation of the refugees continues to be a matter of concern;

2. Expresses its thanks to the Commissioner-General and to all the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near

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[4] Official Records of the General Assembly, Fifty-second Session, Supplement No. 13 (A/52/13).

[5] A/48/486-S/26560, annex; see Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993, document S/26560.

[6] A/51/889-S/1997/357, annex.

East, recognizing that the Agency is doing all it can within the limits of available resources, and also expresses its thanks to the specialized agencies and to private organizations for their valuable work in assisting refugees;

3. Notes with regret that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but not later than 1 September 1998;

4. Notes the significant success of the Peace Implementation Programme of the Agency since the signing of the Declaration of Principles on Interim Self-Government Arrangements,[5] and stresses the importance that contributions to this Programme are not at the expense of the General Fund;

5. Welcomes strengthened cooperation between the Agency and the World Bank and other specialized agencies, and calls upon the Agency to make a decisive contribution towards giving a fresh impetus to the economic and social stability of the occupied territories;

6. Urges all Member States to extend and expedite aid and assistance with a view to the economic and social development of the Palestinian people and the occupied territories;

7. Reiterates its deep concern regarding the persisting critical financial situation of the Agency, as outlined in the report of the Commissioner-General;

8. Commends the efforts of the Commissioner-General to move towards budgetary transparency and internal efficiency, and hopes that such moves will continue;

9. Notes with profound concern that the structural deficit problem confronting the Agency portends an almost certain decline in the living conditions of the Palestine refugees and that it, therefore, has possible consequences for the peace process;

10. Calls upon all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency, and urges non-contributing Governments to contribute regularly and encourages contributing Governments to consider increasing their regular contributions.

DRAFT RESOLUTION II

Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 2656 (XXV) of 7 December 1970, 2728 (XXV) of 15 December 1970, 2791 (XXVI) of 6 December 1971, 51/125 of 13 December 1996 and the previous resolutions on this question,

Recalling also its decision 36/462 of 16 March 1982, by which it took note of the special report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,[7]

Having considered the report of the Working Group,[8]

Taking into account the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1996 to 30 June 1997,[9]

Deeply concerned about the persisting critical financial situation of the Agency, which has affected and affects the continuation of the provision of the necessary Agency services to Palestine refugees, including the emergency-related programmes,

Emphasizing the continuing need for extraordinary efforts in order to maintain, at least at the current minimum level, the activities of the Agency, as well as to enable the Agency to carry out essential construction,

1. Commends the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its efforts to assist in ensuring the financial security of the Agency;

2. Takes note with approval of the report of the Working Group;[8]

3. Requests the Working Group to continue its efforts, in cooperation with the Secretary-General and the Commissioner-General, for the financing of the Agency for a further period of one year;

4. Requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

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[7] A/36/866 and Corr.1; see also A/37/591.

[8] A/52/578.

[9] Official Records of the General Assembly, Fifty-second Session, Supplement No. 13 (A/52/13).

DRAFT RESOLUTION III

Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolutions 2252 (ES-V) of 4 July 1967 and 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 51/126 of 13 December 1996,[10]

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1996 to 30 June 1997,[11]

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements, signed in Washington, D.C., on 13 September 1993 by the Government of the State of Israel and the Palestine Liberation Organization,[12] with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

1. Reaffirms the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. Expresses the hope for an accelerated return of displaced persons through the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements;[12]

3. Endorses, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are

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[10] A/52/423.

[11] Official Records of the General Assembly, Fifty-second Session, Supplement No. 13 (A/52/13).

[12] A/48/486-S/26560, annex; see Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993, document S/26560.

currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

4. Strongly appeals to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above purposes;

5. Requests the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its fifty-third session on the progress made with regard to the implementation of the present resolution.

DRAFT RESOLUTION IV

Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees

The General Assembly,

Recalling its resolution 212 (III) of 19 November 1948 on assistance to Palestine refugees,

Recalling also its resolutions 35/13 B of 3 November 1980, 36/146 H of 16 December 1981, 37/120 D of 16 December 1982, 38/83 D of 15 December 1983, 39/99 D of 14 December 1984, 40/165 D of 16 December 1985, 41/69 D of 3 December 1986, 42/69 D of 2 December 1987, 43/57 D of 6 December 1988, 44/47 D of 8 December 1989, 45/73 D of 11 December 1990, 46/46 D of 9 December 1991, 47/69 D of 14 December 1992, 48/40 D of 10 December 1993, 49/35 D of 9 December 1994, 50/28 D of 6 December 1995 and 51/127 of 13 December 1996,

Cognizant of the fact that the Palestine refugees have, for the last five decades, lost their homes, lands and means of livelihood,

Having considered the report of the Secretary-General,[13]

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1996 to 30 June 1997,[14]

1. Urges all States to respond to the appeal in its resolution 32/90 F of 13 December 1977 and reiterated in subsequent relevant resolutions in a manner commensurate with the needs of Palestine refugees for higher education, including vocational training;

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[13] A/52/415.

[14] Official Records of the General Assembly, Fifty-second Session, Supplement No. 13 (A/52/13).

2. Strongly appeals to all States, specialized agencies and non-governmental organizations to augment the special allocations for grants and scholarships to Palestine refugees, in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

3. Expresses its appreciation to all Governments, specialized agencies and non-governmental organizations that responded favourably to its resolutions on this question;

4. Invites the relevant specialized agencies and other organizations of the United Nations system to continue, within their respective spheres of competence, to extend assistance for higher education to Palestine refugee students;

5. Appeals to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the Palestinian territory occupied by Israel since 1967, including, in due course, the proposed University of Jerusalem "Al-Quds" for Palestine refugees;

6. Appeals to all States, specialized agencies and other international bodies to contribute towards the establishment of vocational training centres for Palestine refugees;

7. Requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships and to award them to qualified Palestine refugee candidates;

8. Requests the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

DRAFT RESOLUTION V

Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions,

Recalling also the relevant Security Council resolutions,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1996 to 30 June 1997,[15]

Taking note of the letter dated 14 October 1997 from the Chairman of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General, contained in the report of the Commissioner-General,[16]

Having considered the reports of the Secretary-General submitted in pursuance of its resolutions 48/40 E,[17] 48/40 H[18] and 48/40 J[19] of 10 December 1993 and 49/35 C of 9 December 1994,[20]

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,[21]

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[22] to the Palestinian territory occupied since 1967, including Jerusalem,

Aware of the fact that Palestine refugees have, for five decades, lost their homes, lands and means of livelihood,

Also aware of the continuing needs of Palestine refugees throughout the occupied Palestinian territory and in the other fields of operation, namely, in Lebanon, Jordan and the Syrian Arab Republic,

Further aware of the valuable work done by the refugee affairs officers of the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

Deeply concerned about the critical financial situation of the Agency and its effect on the continuity of provision of necessary Agency services to the Palestine refugees, including the emergency-related programmes,

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[15] Official Records of the General Assembly, Fifty-second Session, Supplement No. 13 (A/52/13).

[16] Ibid., p. vii.

[17] A/49/440.

[18] A/49/442.

[19] A/49/443.

[20] A/50/451.

[21] Resolution 22 A (I).

[22] United Nations, Treaty Series, vol. 75, No. 973.

Aware of the work of the new Peace Implementation Programme of the Agency,

Recalling the signing in Washington, D.C., on 13 September 1993 of the Declaration of Principles on Interim Self-Government Arrangements by the Government of the State of Israel and the Palestine Liberation Organization,[23] and the subsequent implementation agreements, including the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed in Washington, D.C., on 28 September 1995,[24]

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,[25]

Aware of the establishment of a working relationship between the Advisory Commission of the Agency and the Palestine Liberation Organization in accordance with General Assembly decision 48/417 of 10 December 1993,

1. Expresses its appreciation to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all the staff of the Agency, for their tireless efforts and valuable work;

2. Also expresses its appreciation to the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and requests it to continue its efforts and to keep the General Assembly informed of its activities, including the full implementation of decision 48/417;

3. Welcomes the completion of the transfer of the headquarters of the Agency to Gaza and the signing of the Headquarters Agreement between the Agency and the Palestinian Authority;

4. Acknowledges the support of the host Government and the Palestine Liberation Organization for the Agency in the discharge of its duties;

5. Calls upon Israel, the occupying Power, to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[22] and to abide scrupulously by its provisions;

6. Also calls upon Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations[21] with regard to the safety of the personnel of

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[23] A/48/486-S/26560, annex; see Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993, document S/26560.

[24] A/51/889-S/1997/357, annex.

[25] Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13 (A/49/13), annex I.

the Agency and the protection of its institutions and the safeguarding of the security of the facilities of the Agency in the occupied Palestinian territory, including Jerusalem;

7. Calls once again upon the Government of Israel to compensate the Agency for damages to its property and facilities resulting from actions by the Israeli side;

8. Requests the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the occupied Palestinian territory;

9. Notes that the new context created by the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Government of the State of Israel and the Palestine Liberation Organization[23] and subsequent implementation agreements has had major consequences for the activities of the Agency, which is henceforth called upon, in close cooperation with the United Nations Special Coordinator in the Occupied Territories, the specialized agencies and the World Bank, to continue to contribute towards the development of economic and social stability in the occupied territory;

10. Notes also that the functioning of the Agency remains essential in all fields of operation;

11. Notes further the significant success of the Peace Implementation Programme of the Agency;

12. Expresses concern over those remaining austerity measures due to the financial crisis which have affected the quality and level of some of the services of the Agency;

13. Requests the Commissioner-General to consider the possibility of modernizing the archives of the Agency;

14. Urges all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease current financial constraints and to support the Agency in maintaining the provision of the most basic and effective assistance to the Palestine refugees.

DRAFT RESOLUTION VI

Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General in pursuance of resolution 51/129 of 13 December 1996,[26]

Taking note also of the report of the United Nations Conciliation Commission for Palestine for the period from 1 September 1996 to 31 August 1997,[27]

Recalling that the Universal Declaration of Human Rights[28] and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine Arab refugees,

Taking note of the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,[29] and of the fact that the Land Office had a schedule of Arab owners and file of documents defining the location, area and other particulars of Arab property,

Recalling that in the framework of the Middle East peace process the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993,[30] to commence negotiations on permanent status issues, including the important issue of the refugees, and calling for the commencement of those negotiations,

1. Reaffirms that the Palestine Arab refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of justice and equity;

2. Requests the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel and to preserve and modernize the existing records;

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[26] A/52/372.

[27] A/52/311, annex.

[28] Resolution 217 A (III).

[29] Official Records of the General Assembly, Nineteenth Session, Annexes, Annex No. 11, document A/5700.

[30] A/48/486-S/26560, annex; see Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993, document S/26560.

3. Calls once more upon Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

4. Calls upon all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

5. Urges the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues in the framework of the final status negotiations of the Middle East peace process;

6. Requests the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

DRAFT RESOLUTION VII

University of Jerusalem "Al-Quds" for Palestine refugees

The General Assembly,

Recalling its resolutions 36/14 G of 16 December 1981, 37/120 C of 16 December 1982, 37/120 C of 16 December 1982, 38/83 K of 15 December 1983, 39/99 K of 14 December 1984, 40/165 D and K of 16 December 1985, 41/69 K of 3 December 1986, 42/69 K of 2 December 1987, 43/57 J of 6 December 1988, 44/47 J of 8 December 1989, 45/73 J of 11 December 1990, 46/46 J of 9 December 1991, 47/69 J of 14 December 1992, 48/40 I of 10 December 1993, 49/35 G of 9 December 1994, 50/28 G of 6 December 1995 and 51/130 of 13 December 1996,

Having considered the report of the Secretary-General,[31]

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1996 to 30 June 1997,[32]

1. Emphasizes the need for strengthening the educational system in the Palestinian territory occupied by Israel since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;

2. Requests the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem "Al-Quds", in accordance with General Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;

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[31] A/52/503.

[32] Official Records of the General Assembly, Fifty-second Session, Supplement No. 13 (A/52/13).

3. Calls once more upon Israel, the occupying Power, to cooperate in the implementation of the present resolution and to remove the hindrances that it has put in the way of establishing the University of Jerusalem "Al-Quds";

4. Requests the Secretary-General to report to the General Assembly at its fifty-third session on the progress made in the implementation of the present resolution.

UNITED NATIONS **A**

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Agenda item 87

REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Ms. Riitta RESCH (Finland)

I. INTRODUCTION

1. At its 4th plenary meeting, on 19 September 1997, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-second session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 2nd and 23rd to 25th meetings, on 30 September and 25 and 26 November 1997 (see A/C.4/52/SR.2 and 23-25). The general debate on the item was held at the 23rd and 24th meetings, on 25 November.

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General submitted in pursuance of General Assembly resolution 51/135 (A/52/550);

(b) Report of the Secretary-General submitted in pursuance of General Assembly resolution 51/132 (A/52/551);

(c) Report of the Secretary-General submitted in pursuance of General Assembly resolution 51/134 (A/52/552);

(d) Report of the Secretary-General submitted in pursuance of General Assembly resolution 51/131 (A/52/553);

(e) Note by the Secretary-General transmitting the periodic reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories covering the periods from 21 September to 31 December 1996 and 1 January to 30 April 1997, and the twenty-ninth report of the Special Committee (A/52/131 and Add.1 and 2);

(f) Identical letters dated 21 February 1997 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council (A/51/805-S/1997/149);

(g) Identical letters dated 3 March 1997 from the Permanent Representative of Indonesia to the United Nations addressed to the Secretary-General and the President of the Security Council, transmitting the text of a statement adopted by the Islamic Group at its meeting held at United Nations Headquarters on 3 March 1997 (A/51/817-S/1997/182);

(h) Letter dated 10 March 1997 from the Permanent Representative of Guyana addressed to the Secretary-General (A/51/827-S/1997/212);

(i) Identical letters dated 17 March 1997 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council (A/51/834-S/1997/228);

(j) Letter dated 18 March 1997 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/51/837-S/1997/233);

(k) Letter dated 2 April 1997 from the Permanent Representative of Indonesia to the United Nations addressed to the Secretary-General (A/51/852-S/1997/272);

(l) Note verbale dated 3 April 1997 from the Permanent Mission of Colombia to the United Nations (A/51/853);

(m) Letter dated 4 April 1997 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/51/857-S/1997/277);

(n) Letter dated 4 April 1997 from the Chargé d'affaires a.i. of the Permanent Mission of Kuwait to the United Nations addressed to the Secretary-General (A/51/858-S/1997/281);

(o) Letter dated 4 April 1997 from the Chargé d'affaires a.i. of the Permanent Mission of Kuwait to the United Nations addressed to the Secretary-General (A/51/859-S/1997/282);

(p) Letter dated 4 April 1997 from the Chargé d'affaires a.i. of the Permanent Mission of Kuwait to the United Nations addressed to the Secretary-General (A/51/860-S/1997/280);

(q) Identical letters dated 8 April 1997 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council (A/51/866-S/1997/289);

(r) Identical letters dated 16 April 1997 from the Chargé d'affaires a.i. of the Permanent Mission of Kuwait to the United Nations addressed to the Secretary-General and the President of the Security Council (A/51/881-S/1997/327);

(s) Identical letters dated 16 April 1997 from the Chargé d'affaires a.i. of the Permanent Mission of Kuwait to the United Nations addressed to the Secretary-General and the President of the Security Council (A/51/883-S/1997/330);

(t) Letter dated 25 April 1997 from the Permanent Representative of India to the United Nations addressed to the Secretary-General, transmitting the final document of the Twelfth Ministerial Conference of the Movement of Non-Aligned Countries, held at New Delhi on 7 and 8 April 1997, and addendum containing a note verbale dated 28 August 1997 (A/51/912-S/1997/406 and Add.1);

(u) Letter dated 7 May 1997 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General, transmitting the final declarations adopted by the Heads of State and Government of the Organization of the Islamic Conference at the extraordinary session held at Islamabad on 23 March 1997 (A/51/915-S/1997/433);

(v) Identical letters dated 12 June 1997 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council (A/51/923-S/1997/453);

(w) Note verbale dated 20 June 1997 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General (A/52/202);

(x) Identical letters dated 18 July 1997 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council (A/52/258-S/1997/560);

(y) Letter dated 4 August 1997 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/52/266);

(z) Letter dated 12 September 1997 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/52/346-S/1997/710);

(aa) Identical letters dated 19 September 1997 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council (A/52/371-S/1997/727);

(bb) Letter dated 26 September 1997 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/52/396-S/1997/749);

(cc) Letter dated 1 October 1997 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General, transmitting the communiqué of the Meeting of Ministers for Foreign Affairs and Heads of Delegation of the Movement of Non-Aligned Countries to the fifty-second session of the General Assembly, held in New York on 25 September 1997 (A/52/447-S/1997/775).

4. At the 23rd meeting, on 25 November, the representative of Sri Lanka, in his capacity as Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, introduced the reports of that Committee (A/52/131 and Add.1 and 2) (see A/C.4/52/SR.23).

5. At the same meeting, the Permanent Observer of Palestine to the United Nations made a statement (see A/C.4/52/SR.23).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.4/52/L.17

6. At the 25th meeting, on 26 November, the representative of Cuba, on behalf of Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Malaysia, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates and Yemen, introduced a draft resolution entitled "Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories" (A/C.4/52/L.17).

7. At the same meeting, the Committee adopted draft resolution A/C.4/52/L.17 by a recorded vote of 67 to 2, with 60 abstentions (see para. 16, draft resolution I).[1] The voting was as follows:

In favour: Algeria, Bahrain, Bangladesh, Benin, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Chile, China, Colombia, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Ecuador, Egypt, Gabon, Ghana, Guinea, Guyana, Haiti, India, Indonesia, Iran (the Islamic Republic of), Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Malaysia, Maldives, Malta, Mauritania, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Oman, Pakistan, Philippines, Qatar, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

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[1] Statements in explanation of vote were made by the representatives of Australia, Luxembourg (on behalf of the States Members of the United Nations that are members of the European Union), the Islamic Republic of Iran, the Syrian Arab Republic and Israel (see A/C.4/52/SR.25).

Against: Israel, United States of America.

Abstaining: Andorra, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bolivia, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Mongolia, Netherlands, New Zealand, Norway, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Slovakia, Slovenia, Spain, Swaziland, Sweden, The former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Zambia.

B. Draft resolution A/C.4/52/L.18

8. At the 25th meeting, on 26 November, the representative of Cuba, on behalf of Bangladesh, Cuba, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Saudi Arabia, Sudan, Tunisia, the United Arab Emirates and Yemen, subsequently joined by Brunei Darussalam, introduced a draft resolution entitled "Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories" (A/C.4/52/L.18).

9. At the same meeting, the Committee adopted draft resolution A/C.4/52/L.18 by a recorded vote of 124 to 2, with 3 abstentions (see para. 16, draft resolution II).[1] The voting was as follows:

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Congo, Cote d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab

Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Liberia, Marshall Islands, Swaziland.

C. Draft resolution A/C.4/52/L.19

10. At the 25th meeting, on 26 November, the representative of Cuba, on behalf of Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates and Yemen, introduced a draft resolution entitled "Israeli settlements in the occupied Palestinian territory, including Jerusalem, and the occupied Syrian Golan" (A/C.4/52/L.19).

11. At the same meeting, the Committee adopted draft resolution A/C.4/52/L.19 by a recorded vote of 122 to 2, with 4 abstentions (see para. 16, draft resolution III).[1] The voting was as follows:

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Canada, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Bulgaria, Liberia, Marshall Islands, Swaziland.

D. Draft resolution A/C.4/52/L.20

12. At the 25th meeting, on 26 November, the representative of Cuba, on behalf of Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates and Yemen, introduced a draft resolution entitled "Israeli practices affecting the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem" (A/C.4/52/L.20).

13. At the same meeting, the Committee adopted draft resolution A/C.4/52/L.20 by a recorded vote of 124 to 2, with 4 abstentions (see para. 16, draft resolution IV).[1] The voting was as follows:

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Liberia, Marshall Islands, Swaziland, Zambia.

E. Draft resolution A/C.4/52/L.21

14. At the 25th meeting, on 26 November, the representative of Cuba, on behalf of Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen, subsequently joined by Pakistan, introduced a draft resolution entitled "The occupied Syrian Golan" (A/C.4/52/L.21).

15. At the same meeting, the Committee adopted draft resolution A/C.4/52/L.21 by a recorded vote of 121 to 1, with 6 abstentions (see para. 16, draft resolution V).[1] The voting was as follows:

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: Israel.

Abstaining: Liberia, Marshall Islands, Swaziland, United States of America, Uruguay, Zambia.

III. RECOMMENDATIONS OF THE SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)

16. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by the principles of international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] as well as international standards of human rights, in particular the Universal Declaration of Human Rights[3] and the International Covenants on Human Rights,[4]

Recalling its relevant resolutions, including resolution 2443 (XXIII) of 19 December 1968, and relevant resolutions of the Commission on Human Rights,

Recalling also relevant resolutions of the Security Council,

Aware of the lasting impact of the uprising (intifada) of the Palestinian people,

Convinced that occupation itself represents a primary violation of human rights,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[5] and the relevant reports of the Secretary-General,[6]

Recalling the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Government of Israel and the Palestine Liberation Organization in Washington, D.C., on 13 September 1993,[7] as well as the subsequent implementation agreements, including the Israeli-Palestinian Interim

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[2] United Nations, Treaty Series, vol. 75, No. 973.

[3] Resolution 217 A (III).

[4] Resolution 2200 A (XXI), annex.

[5] See A/52/131 and Add.1 and 2.

[6] A/52/550-A/52/553.

[7] A/48/486-S/26560, annex; see Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993, document S/26560.

Agreement on the West Bank and the Gaza Strip signed in Washington, D.C., on 28 September 1995,*

Expressing the hope that, with the progress of the peace process, the Israeli occupation will be brought to an end and therefore violation of the human rights of the Palestinian people will cease,

1. Commends the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. Demands that Israel cooperate with the Special Committee in implementing its mandate;

3. Deplores those policies and practices of Israel which violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the reports of the Special Committee covering the reporting period;

4. Expresses concern about the recent deterioration of the situation in the occupied Palestinian territory, including Jerusalem, as a result of Israeli practices and measures and the impasse facing the Middle East peace process;

5. Requests the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli lack of compliance with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. Also requests the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the occupied Palestinian territory, including Jerusalem;

7. Further requests the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

8. Requests the Secretary-General:

(a) To provide all necessary facilities to the Special Committee, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

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* A/51/889-S/1997/357, annex.

(b) To continue to make available such additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(e) To report to the General Assembly at its fifty-third session on the tasks entrusted to him in the present resolution;

9. Decides to include in the provisional agenda of its fifty-third session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

DRAFT RESOLUTION II

Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories

The General Assembly,

Recalling its relevant resolutions,

Bearing in mind the relevant resolutions of the Security Council,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories* and the relevant reports of the Secretary-General,[11]

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law,

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* See A/52/131 and Add.1 and 2.

[11] A/52/550-A/52/553.

1. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[11] is applicable to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

2. Demands that Israel accept the de jure applicability of the Convention in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. Calls upon all States parties to the Convention, in accordance with article 1 common to the four Geneva Conventions,[12] to exert all efforts in order to ensure respect for its provisions by Israel, the occupying Power, in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

4. Requests the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

DRAFT RESOLUTION III

Israeli settlements in the occupied Palestinian territory, including Jerusalem, and the occupied Syrian Golan

The General Assembly,

Guided by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, including those adopted at its tenth emergency special session, as well as relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[13] to the occupied Palestinian territory, including Jerusalem, and to the occupied Syrian Golan,

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[11] United Nations, Treaty Series, vol. 75, No. 973.

[12] Ibid., Nos. 970-973.

[13] Ibid., No. 973.

Aware of the Middle East peace process started at Madrid and the agreements reached between the parties, in particular the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[14] and the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip of 28 September 1995,[15]

Expressing grave concern about the decision of the Government of Israel to resume settlement activities, including the construction of the new settlement in Jabal Abu Ghneim, in violation of international humanitarian law, relevant United Nations resolutions and the agreements reached between the parties,

Gravely concerned in particular about the dangerous situation resulting from actions taken by the illegal armed Israeli settlers in the occupied territory, as illustrated by the massacre of Palestinian worshippers by an illegal Israeli settler in Al-Khalil on 25 February 1994,

Taking note of the report of the Secretary-General,[16]

1. Reaffirms that Israeli settlements in the Palestinian territory, including Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. Calls upon Israel to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[13] to the occupied Palestinian territory, including Jerusalem, and to the occupied Syrian Golan and to abide scrupulously by the provisions of the Convention, in particular article 49;

3. Demands complete cessation of the construction of the new settlement in Jabal Abu Ghneim and of all Israeli settlement activities in the occupied Palestinian territory, including Jerusalem, and in the occupied Syrian Golan;

4. Stresses the need for full implementation of Security Council resolution 904 (1994) of 18 March 1994, in which, among other things, the Council called upon Israel, the occupying Power, to continue to take and implement measures, including, inter alia, confiscation of arms, with the aim of preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory.

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[14] A/48/486-S/26560, annex; see Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993, document S/26560.

[15] A/51/889-S/1997/357, annex.

[16] A/51/517.

DRAFT RESOLUTION IV

Israeli practices affecting the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem

The General Assembly,

Recalling its relevant resolutions, including those adopted at its tenth emergency special session, and the resolutions of the Commission on Human Rights,

Bearing in mind the relevant resolutions of the Security Council, the most recent of which are resolutions 904 (1994) of 18 March 1994 and 1073 (1996) of 28 September 1996,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[17] and the reports of the Secretary-General,[18]

Aware of the responsibility of the international community to promote human rights and ensure respect for international law,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[19] to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Government of the State of Israel and the Palestine Liberation Organization in Washington, D.C., on 13 September 1993,[20] as well as the subsequent implementation agreements, including the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip signed in Washington, D.C., on 28 September 1995,[21]

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[17] See A/52/131 and Add.1 and 2.

[18] A/52/550-A/52/553.

[19] United Nations, Treaty Series, vol. 75, No. 973.

[20] A/48/486-S/26560, annex; see Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993, document S/26560.

[21] A/51/889-S/1997/357, annex.

Noting the withdrawal of the Israeli army, which took place in the Gaza Strip and the Jericho Area in accordance with the agreements reached between the parties, and the initiation of the Palestinian Authority in those areas,

Noting also the redeployment of the Israeli army from six cities in the West Bank,

Concerned about the continuing violation of the human rights of the Palestinian people by Israel, the occupying Power, especially the use of collective punishment, closure of areas, annexation and establishment of settlements and the continuing actions by it designed to change the legal status, geographical nature and demographic composition of the occupied Palestinian territory, including Jerusalem,

Expressing its deep concern in particular about the closure by the Israeli authorities of the occupied Palestinian territory, including Jerusalem, which prevents the freedom of movement of persons and goods and is the cause of great economic and social hardship, in violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the agreements reached between the two sides,

Convinced of the positive impact of a temporary international or foreign presence in the occupied Palestinian territory on the safety and protection of the Palestinian people,

Expressing its appreciation to the countries that participated in the Temporary International Presence in Hebron for their positive contribution,

Convinced of the need for the full implementation of Security Council resolutions 904 (1994) and 1073 (1996),

1. Determines that all measures and actions taken by Israel, the occupying Power, in the occupied Palestinian territory, including Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] and contrary to the relevant resolutions of the Security Council, are illegal and have no validity and that such measures should cease immediately;

2. Demands that Israel, the occupying Power, cease all practices and actions that violate the human rights of the Palestinian people;

3. Stresses the need to preserve the territorial integrity of all of the occupied Palestinian territory and to guarantee the freedom of movement of persons and goods within the Palestinian territory, including the removal of restrictions on movement into and from East Jerusalem, and the freedom of movement to and from the outside world;

4. Calls upon Israel, the occupying Power, to accelerate the release of all remaining Palestinians arbitrarily detained or imprisoned, in line with agreements reached;

5. Calls for complete respect by Israel, the occupying Power, of all fundamental freedoms of the Palestinian people, pending the extension of the self-government arrangements to the rest of the occupied territory;

6. Requests the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

DRAFT RESOLUTION V

The occupied Syrian Golan

The General Assembly,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,[22]

Deeply concerned that the Syrian Golan occupied since 1967 has been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its previous relevant resolutions, the last of which was resolution 51/135 of 13 December 1996,

Having considered the report of the Secretary-General submitted in pursuance of General Assembly resolution 51/135,[23]

Recalling its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under international law, including the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[24] to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

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[22] See A/52/131 and Add.1 and 2.

[23] A/52/550.

[24] United Nations, Treaty Series, vol. 75, No. 973.

Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace, and expressing grave concern about the stalling of the peace process on the Syrian and Lebanese tracks,

1. Calls upon Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel, the occupying Power, should rescind forthwith its decision;

2. Also calls upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[4] and have no legal effect;

4. Calls upon Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and to desist from its repressive measures against the population of the occupied Syrian Golan;

5. Deplores the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. Requests the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.